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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of Villoo Morawala PATELL et al.	
U.S. Patent Application No. 09/868,025	Docket No.: 145865.00005
Filed: October 11, 2000	
For: ISOLATED NUCLEIC ACID SEQUENCE CONFERRING SALT TOLERANCE IN RICE PLANT	

Box Patent Application
Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Listed on the accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that an exhaustive search has been made, or that there does not exist information more material to the examination of the present patent application. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will review art of record in all 35 U.S.C. § 120 priority documents.

1. ☒ This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No certification or fee is required.
2. ☐ The Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance.

- a) ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- b) ☐ I hereby certify that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- c) ☐ Attached is our check no. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(p).
3. ☐ This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered. Attached is our check no. _____ in the amount of \$ _____ in payment of the fee under 37 C.F.R. § 1.17(i)(1).
- a) ☐ I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- b) ☐ I hereby certify that no item of information on this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
4. ☐ Relevance of the non-English language document(s) is discussed in the present specification.
5. ☒ The documents I, J and K were cited in a corresponding foreign application. An English language version of the foreign search report is attached for the Examiner's information.

6. ☐ A concise explanation of the relevance of the non-English language document(s) appears below:
7. ☐ The Examiner's attention is directed to co-pending U.S. Patent Application No. _____, filed _____, which is directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application and the art cited therein during examination.
8. ☐ Copies of the documents were cited by or submitted to the Office in Application No. _____, filed _____, which is relied upon for an earlier filing date under 37 C.F.R. § 1.98(d).

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

If Applicant has overlooked the payment of any fees with regard to the filing of this Information Disclosure Statement, the Commissioner is hereby authorized to charge Deposit Account No. 50-1682.

Respectfully submitted,

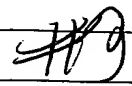


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Dated: February 19, 2001

RW/DWW/yea
Enclosures

INFORMATION DISCLOSURE STATEMENT	Docket No. 145865.00005	Application No. 09/868,025 
	Applicant(s): Viloo Morawala PATELL et al.	
	Filing Date: October 11, 2000	Group Art Unit:

U.S. PATENT DOCUMENTS

Examiner Initial	REF	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (IF APPROPRIATE)
	A	5,589,612	12/1996	JILKA et al.			
	B	5,503,999	04/1996	JILKA et al.			
	C	5,496,732	03/1996	SMIGOCLI et al.			
	D	5,436,392	07/1995	THOMAS et al.			
	E	5,312,912	05/1994	HADWIGER et al.			
	F	5,306,863	04/1994	HILDER et al.			
	G	5,218,104	06/1993	HILDER et al.			
	H	4,980,288	12/1990	BRYAN et al.			
	I	4,849,349	07/1989	RAGG et al.			

FOREIGN PATENT DOCUMENTS

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

I	Baek, J.M. et al. "Nucleotide sequence homology of the cDNAs encoding soybean Bowman-Birk type proteinase inhibitor and its isoinhibitors." Bioscience, Biotechnology and Biochemistry, vol. 58, No. 5, 1994, pp. 843-846.
J	Patell, V.M. et al. "Oryza sativa Variety IR64 (cDNA clone AGTSAL-11 from 7 days old seedlings)." EMBL Databse Entry AF192975; Accession No. AF192975, November 9, 1999.
K	Moons, A. et al. "Molecular and Physiological Responses to Absciscic Acid and Salts in Roots of Salt-Sensitive and Salt-Tolerant Indica Rice Varieties." Plant Physiology, vol. 107, 1995, pp. 177-186.

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP Section 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO-A820 (also form PTO-1449)	SHEET 1 OF 1